

writs and process issued from or returnable to said court in civil cases, shall be made returnable to the first return day, or to the first day of the term, whichever shall first occur after the issue of the same, unless otherwise ordered in writing by the party directing the same, or his attorney; and on the return of an original writ, not executed, the same may be renewed, returnable to the next return day, or to the first day of the succeeding term, whichever shall first occur.

1886, ch. 264.

**62.** If a defendant be returned summoned and shall fail to appear, the clerk of the court, on the day following the return day to which the writ or process served on him is returnable, shall enter the appearance of any defendant so summoned and failing to appear, and the action shall proceed in the same manner as if the party had appeared in person.

Ibid.

**63.** In all cases when a party is returned summoned to a return day or to a term, the same proceedings shall be had as are now had in said court, subject to such rules as the said court may prescribe as to pleading and practice, and the cases shall be entered in their order on the trial docket for the succeeding term.

Ibid.

**64.** Every suit in which any defendant shall be returned summoned, except suit on contract, as hereinafter provided, shall stand for trial or judgment at the term next succeeding the rule day or term to which said defendant was returned summoned, subject to such rules as the court may prescribe as aforesaid.

Ibid.

**65.** In any suit where the cause of action is a contract, whether in writing or not, or whether expressed or implied, the plaintiff, if affidavit or affirmation be made as hereinafter stated, shall be entitled to judgment, to be entered by the court or the clerk thereof, on the rule day or the first day of the term next succeeding the rule day, or the term to which the defendant shall have been returned summoned, although the defendant may have pleaded, unless such plea contains a good defence, and unless the